

EXHIBIT E

JUDITH ORCUTT

June 22, 2006

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UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

C.A. No. 04-11842-PBS

SCOTT RODGERS,

*

Plaintiff

*

vs.

*

CORRECTION OFFICER ORCHID, UNKNOWN

*

CORRECTION OFFICER JOHN DOE, JOE WHITMORE,

*

DOCTOR HOWARD, JOHN SMITH, PLYMOUTH

*

COUNTY,

*

Defendants

*

DEPOSITION OF: JUDITH ORCUTT

HRONES, GARRITY & HEDGES

Lewis Wharf Bay, Suite 232

Boston, Massachusetts

June 22, 2006 10:00 a.m.

GAYLE OHMAN

CERTIFIED SHORTHAND REPORTER

#1353S94

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1 have spoken to inmates.

2 Q. What was the substance of those
3 conversations?

4 MR. BREEN: Objection.

5 THE WITNESS: Based on my
6 experience

7 MR. BREEN: No, no, he's asking you
8 to tell him what you remember about that
9 night.

10 THE WITNESS: Oh, that particular
11 night, no, I do not remember the substance
12 of that particular night.

13 Q. (By Mr. Tumposky) Was there ever a
14 night that you didn't have conversations with
15 inmates on the overnight shift?

16 A. I don't recall.

17 Q. Did you make any calls to the
18 medical unit on that night?

19 A. No, not that I recall.

20 Q. Do you know an inmate named Scott
21 Rodgers, or a former inmate Scott Rodgers?

22 A. The knowledge I have is since this
23 lawsuit came about is the knowledge that I got.

24 Q. Prior to that you didn't know Scott

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1 I, GAYLE OHMAN, a Notary Public in and for
2 the Commonwealth of Massachusetts, do hereby
3 certify that JUDITH ORCUTT, appeared before me,
4 satisfactorily identified herself, on the 22nd
5 day of June, 2006, who was by me duly sworn to
6 testify to the truth and nothing but the truth
7 as to her knowledge touching and concerning the
8 matters in controversy in this cause; that she
9 was thereupon examined upon her oath and said
10 examination reduced to writing by me; and that
11 the statement is a true record of the testimony
12 given by the witness, to the best of my
13 knowledge and ability.

14 I further certify that I am not a relative
15 or employee of counsel/attorney for any of the
16 parties, nor a relative or employee of such
17 parties, nor am I financially interested in the
18 outcome of the action.

19 WITNESS MY HAND this 6th day of July,
20 2006.

21 

22 Gayle Ohman

My Commission expires:

23 Notary Public

October 25, 2007

24

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1 Today's date: July 6, 2006
2 To: William P. Breen, Jr., Esq.
3 Copied to: Michael Tumposky, Esq.,
4 Tara Wegener, Esq.
5 From: Gayle Ohman
6 Deposition of: Judith Orcutt
7 Taken: June 22, 2006
8 Action: SCOTT RODGERS
9 Vs. OFFICER ORCHID, ET AL.

10 =====

11 Enclosed is a copy of Ms. Orcutt's
12 deposition. Pursuant to the Rules of Civil
13 Procedure, Ms. Orcutt has thirty days to sign
14 the deposition from today's date.

15 Please have Ms. Orcutt sign the enclosed
16 signature page. If there are any errors, please
17 have her mark the page, line and error on the
18 enclosed correction sheet. She should not mark
19 the transcript itself. The certification page
20 and addendum should be forwarded to all
21 interested parties.

22 Thank you for your cooperation in this
23 matter.
24

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*

COUNTY,

*

Defendants

*

I, JUDITH ORCUTT, do hereby certify, under
the pains and penalties of perjury, that the
foregoing testimony is true and accurate, to the
best of my knowledge and belief.

WITNESS MY HAND, this day of ,
2006.

JUDITH ORCUTT

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CORRECTION SHEET

DEPONENT: JUDITH ORCUTT

CASE: RODGERS VS OFFICER ORCHID, ET AL

DATE TAKEN: 6/22/06

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